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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**Joshua Hall, on behalf of himself
and all others similarly situated,**

Plaintiff,

V

Receivables Performance Management, LLC,

Defendant.

Case No. 3:13-cv-00805-BEN-RBB

**DECLARATION OF DAVID J.
MCGLOTHLIN IN SUPPORT OF
MOTION TO COMPEL
DISCOVERY RESPONSES**

Date: January 13, 2014

Time: 10:00 AM

**Time: 10:00 AM
Location: Southern District of California, Courtroom 2C**

Judge: Hon. Ruben B. Brooks

I, David J McGlothlin, hereby declare under penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct:

1. I am counsel for Plaintiff in the above-captioned matter. I have personal knowledge of the information contained in this Declaration and could testify to such if called to do so.
 2. I submit this Declaration in support of Plaintiff's Motion to Compel Discovery Responses.

3. I sent Defendant's Counsel a meet and confer letter on November 26, 2013, addressing defects in Defendant's responses to Plaintiff's First Set of Request for Production of Documents and Plaintiff's First Set of Interrogatories.
4. I spoke with Defense Counsel between November 26, 2013 and December 3, 2013, regarding Plaintiff's November 26, 2013 Meet and Confer letter.
5. Defendant's Counsel, Sean Flynn, has indicated that he is awaiting a response from his client.
6. To date, Defendant's Counsel, Sean Flynn, has not provided a response to Plaintiff's November 26, 2013 Meet and Confer letter.
7. In order to address Defendant's "proprietary" concerns, Plaintiff has agreed to enter into a protective order and has even made revisions to a protective order provided by Defendant, but Plaintiff's counsel has not received a response to their suggested changes to the proposed protective order.

I declare under the penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct. Executed on December 5, 2013, in Phoenix, Arizona.

Hyde & Swigart

By: s/ David J. McGlothlin
David J. McGlothlin